

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

BRIAN WHITAKER,  
  
Plaintiff,  
  
v.  
  
KEVIN JEWELERS, INC.,  
  
Defendant.

Case No. 1:20-cv-01831-JLT-BAK (SKO)

**ORDER ADOPTING FINDINGS AND  
RECOMMENDATION THAT  
PLAINTIFF'S MOTION FOR DEFAULT  
JUDGMENT BE DENIED**

**(Docs. 12, 15)**

Brian Whitaker asserts Kevin Jewelers, Inc., violated his accessibility rights arising under the Americans with Disabilities Act and the California Unruh Civil Rights Act. (Doc. 1.) On April 22, 2022, Plaintiff filed a motion for default judgment against Defendant, pursuant to Fed. R. Civ. P. 55(b). (Doc. 12). On June 15, 2022, the assigned magistrate judge issued findings and a recommendation that the motion be denied without prejudice for inadequate service of process on Defendant. (Doc. 15.) The findings and recommendation provided that any party could file objections thereto within twenty-one (21) days. (*Id.* at 6–7.) To date, no objections have been filed. (*See* Docket.)

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1 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), this Court has conducted a  
2 *de novo* review of the case. Having carefully reviewed the entire file, the court finds that the  
3 findings and recommendation are supported by the record and proper analysis. Thus, the Court

4 **ORDERS:**

5 1. The findings and recommendations issued on June 15, 2022 (Doc. 15) are

6 **ADOPTED IN FULL.**

7 2. Plaintiff's motion for default judgment (Doc. 12) is **DENIED** without prejudice to  
8 renewal upon a showing of adequate service on Defendant.

9  
10 IT IS SO ORDERED.

11 Dated: **July 14, 2022**

  
UNITED STATES DISTRICT JUDGE